



Customer Number 042131 Attorney Docket No. 134.004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Karmali, Rashida A.

SERIAL NO.: 10/826,083

Art Unit: 1743

FILED: 04/16/2004

Examiner : Dwayne K. Handy

For: SPECIMEN COLLECTING, PROCESSING AND ANALYTICAL ASSEMBLY

---

Interview Record under 37 C.F.R. 1.133

Commissioner for Patents  
P.O.Box 1450  
Alexandria, VA 22313-1450

Sir:

Interview Date: October 16, 2006, 10.45 a.m.

Re: U.S. Application Serial No 10/826,083 , by Rashida A. Karmali0, filed 4/16/2004

Interview Participants: Applicant: Rashida A. Karmali, (also attorney of record)

Examiner: Dwayne K. Handy.

Summary:

1. On August 15, 2006- Applicant called the Examiner to set up a telephone interview to discuss the Amendment filed July 21, 2006 to resolve any outstanding matters since applicant had started licensing negotiations for the referenced application.
2. Examiner Handy indicated that he would not get to review the application until beginning of October 2006, and he would notify me then about setting up an interview.
3. On or about 11<sup>th</sup> October, 2006, Examiner Handy called and granted an appointment for a telephone interview on Friday 13<sup>th</sup>, 2006 at 10 a.m.
4. At 9.45 a.m. 13<sup>th</sup> October 2006, Examiner Handy called and cancelled the appointment, apologized that he had not read the response and was running behind. He instead granted an appointment for 10 a.m. Monday October 16, 2006 and explained that his report was due that day.

5. Applicant called the Examiner at 10 a.m. on 16th October, 2006, and left a message regarding the interview.
6. Examiner Handy called at 10.45 am and summarily repeated the rejections made in the Office Action of March 23, 2006. He indicated that the response had addressed two references- Schramm and Nason but he was not convinced that the third reference – Liotta was overcome.
7. Applicant pointed out that Liotta was entirely a different invention category and that the Examiner was using hindsight in applying it. Applicant also pointed out that the whole invention should be considered and that in fact there was a need for the invention because it allowed collection of small amounts of blood and prevented waste of blood as repeatedly shown in the specification.
8. Examiner Handy stated that he did not have time to work with the applicant on this and would issue the next Action.
9. The Examiner advised the applicant to set up another interview after the next Action.
10. Applicant expressed that she would arrange a personal interview with Examiner's Supervisor present.
11. Examiner Handy shouted insults and advised the applicant to talk to his Supervisor – Jill Warden.

Applicant left a message for Supervisor Warden to complain about Examiner Handy's lack of providing proper examination. It is applicant's opinion that the Examiner paid very little attention to applicant's response of July 21, 2006, and was just concerned to meet his deadline without any regard to the delay and the financial damages this would cause the applicant. Importantly, his personal conduct was rude unprofessional, and unacceptable. Applicant requests Examiner Warden and the Commissioner to address these concerns and complaint.

Date: October 16, 2008

Respectfully submitted,



Rashida A. Karmali, Esq.

Reg. No. 43,705

Attorney for Applicant

99 Wall Street 13<sup>th</sup> Floor

New York, New York 10005

Tel: (212) 651-9653

Fax: (212) 651-9654

Cc: John Doll, Commissioner